

LP

U.S. DISTRICT COURT
In this court of record at the UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

United States Of America
Plaintiff

2021 SEP 21 PM 3:36

CLERK OF COURT

Case number: 18-CR-122

and 21-CR-113 ✓

and

Jacob Leon Maclin; Sui Juris
Affiant/ [Defendant]

Counter-Plea Agreement to the plaintiff's original Plea Agreement

Comes now Affiant, Jacob Leon Maclin, one of the people of Wisconsin, State, Sui Juris, De Jure, in this court of record, for Judicial review, hereby gives **Counter-Plea Agreement to Plaintiff's original Plea Agreement** and waives no rights at anytime for the record to stand corrected, so that all public officials and private actors may provide due care:

I, Jacob Maclin counters the Plaintiff's original plea agreement for the following reasons:

COUNTER-PLEA AGREEMENT

1. The United States of America, by its attorneys, Richard G. Frohling, Acting United States Attorney for the Eastern District of Wisconsin, and Lisa Wesley, Assistant United States Attorney, and the Affiant, Jacob Leon Maclin, Sui Juris, pursuant to United States Commercial Code 3-603(b),), 2-207 & Rule 11 of the Federal Rules of Criminal Procedure, enter into the following counter-plea agreement:

CHARGES

2. " Allegedly the Affiant has been charged in Eastern District of Wisconsin Case Number 18-CR-122 in both counts of a two-count information, with a forfeiture provision, which alleges violations of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2) and Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D). The Affiant is also charged in all counts of a three-count indictment, with a forfeiture provision which alleges violations of Title 18, United States Code, Sections 922(g)(1), 924(a)(2), and 924(c) and Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B), and 841(b)(1)(C).

3. The Affiant has allegedly also been charged in Eastern District of Wisconsin Case Number 21-CR-113 in both counts of a two-count information, with a forfeiture provision, which alleges violations of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C) and Title 18, United States Code, Sections 924(c) and 2(a). The Affiant is also charged in all counts of a three-count indictment, with a forfeiture provision, which alleges

This action is pursuant to Rule 17. Plaintiff and Defendant, capacity, Public Officers

1.) the plaintiff cannot testify at trial because it is a Corporate fiction.

Jacob Leon Maclin is a Man and not 1

a Corporate fiction.

violations of Title 18, United States Code, Sections 922(g)(1), 924(a)(2), and 924(c) and Title 21, United States Code, Sections 841(a)(1) and 841(a)(1)(C).

4. The Affiant does not understand the charges contained in the information and indictment in both cases. He does not understand the nature and elements of the crimes with which he has been charged.

5. The Affiant voluntarily agrees to dismiss prosecution by indictment in open court.

6. The defendant voluntarily agrees to plead not guilty to the following counts charged in the information in Case Number 18-CR-122 set forth in full as follows:

COUNT ONE:

THE UNITED STATES ATTORNEY CHARGES THAT:

1. On or about March 31, 2018, in the State and Eastern District of Wisconsin,

JACOB LEON MACLIN,

Unknowingly he previously had been convicted of a crime punishable by imprisonment for a term exceeding one year, Unknowingly possessed a firearm which, prior to his possession of it, had been transported in interstate commerce, the possession of which was therefore in and affecting commerce.

2. The firearm is more fully described as a Ruger 9mm pistol, bearing serial number 32055409.

All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

- 1.) The Plaintiff accuses I, Jacob Leon Maclin and is holding my body as surety for allegedly violating: **18 USC 922(g)(1) & 924(a)(2)**
- 2.) Upon researching these codes, in which are not laws governing I, a man, it states : "It shall be unlawful for any person—**(1)** who has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year;" & " (2)Whoever knowingly violates subsection (a)(6), (d), (g), (h), (i), (j), or (o) of section 922 shall be fined as provided in this title, imprisoned not more than 10 years, or both."
- 3.) Upon researching the definitions used for interpreting these codes in these chapters of the United States Codes that I'm accused of violating, it clearly states in **18 USC 921-Definitions** that: "(a)As used in this chapter—(1)The term "person" and the term "whoever" include any individual, corporation,

company, association, firm, partnership, society, or joint stock company.” & “(2)The term “interstate or foreign commerce” includes commerce between any place in a State and any place outside of that State, or within any possession of the United States (not including the Canal Zone) or the District of Columbia, but such term does not include commerce between places within the same State but through any place outside of that State. The term “State”includes the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States (not including the Canal Zone).”

4.) We can clearly see beyond a reasonable doubt that based upon the definitions used for interpreting the accusatory authorities stated by the plaintiff that :

(a) I attest to the fact that I am a man and in no way shape or form a person, individual, corporation, company, association, firm, partnership, society, or joint stock company; nor am I surety for any entity affirmed above and or not affirmed above.

(b) I attest to the fact that I am not, have not nor will ever operate in interstate commerce.

(c) I attest to the fact that the 2nd amendment protects the people’s right to bear arms and that the plaintiff is insisting that this right is infringed upon by an unconstitutional authority from its codes which would be deprivation of rights under color of law.

5.) Wherefore, I, Jacob Leon Maclin enter into a counter-agreement with the plaintiff to move to dismiss count one of the indictment immediately.

COUNT TWO

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

On or about March 23, 2021, in the State and Eastern District of Wisconsin,

JACOB LEON MACLIN

Unknowingly possessed a firearm in furtherance of the drug trafficking offense charged in Count One of this Information, to wit: a SIG, model P320, 9mm pistol bearing serial number 58H072509.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

8. The Affiant does not acknowledges, does not understand, and does not agrees that he is, in fact, guilty of the offenses described in paragraphs 6 and 7. The parties acknowledge and understand that if these cases were to proceed to trial, the government would not be able to prove the facts set forth in Attachment A beyond a reasonable doubt. The Affiant admits that these facts are false and does not establish his guilt beyond a reasonable doubt.

PENALTIES

9. The Affiant does not understand and does not agree that the offenses charged in the information to which the Affiant will enter a plea of not guilty carry the following penalties:

Case Number 18-CR-122

Count	Maximum Term of Imprisonment	Maximum Fine	Term of Supervised Release	Mandatory Special Assessment
One	10 years	\$250,000	3 years maximum	\$100
Two	5 years	\$250,000	2 years minimum and 3 years maximum	\$100

Case Number 21-CR-113:

Count	Maximum Term of Imprisonment	Mandatory Minimum Term of Imprisonment	Term of Supervised Release	Maximum Fine	Mandatory Special Assessment
One	40 years	5 years	4 years minimum and 5 years maximum	\$250,000	\$100
Two	Life	5 years consecutive	5 years maximum	\$250,000	\$100

DISMISSAL OF INDICTMENT

10. The Affiant enjoining with the government, agrees to move to dismiss the indictment in both cases immediately to avoid a counter-suit for deprivation of rights under color of law. Jacob Leon Maclin's right to bear arms

is a protected right secured by second amendment of the constitution bill of rights as well as his right to association as the Plaintiff has deprived Jacob Leon Maclin of his rights as he is a member of his private association outside of the Jurisdiction of the government(s).

Jacob Leon Maclin is a foreign trust Expressed here and the plaintiff is attempting to govern to affairs of said foreign trust. Said foreign trust is willing to settle all matters immediately within a Three day time span for \$25 upon being able to cross examine the Plaintiff and not its representatives. Jacob Leon Maclin is foreign and not domestic. The foreign trust is expressed here and forevermore.

PROOF OF DRUG WEIGHT FOR STATUTORY MAXIMUM

PENALTY

11. The parties Affiant does not understand nor agree that for the penalties in 21 U.S.C. § 841(b)(1)(B) to apply in Case Number 21-CR-113, as provided in paragraph 7 above, the government must prove beyond a reasonable doubt that the offense to which the defendant is pleading not guilty involved at least 40 grams of fentanyl (otherwise known as N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]). The Affiant does not agrees that the government possesses sufficient, admissible evidence to meet this burden.

Grounds for dismissal

- 1.) Jacob Leon Maclin is a man and not a corporate fiction.
- 2.) The Plaintiff is fictitious in nature and cannot give testimony nor attest, swear to the accusations against Jacob Leon Maclin which violates its own statutes, laws and codes which allow the accused to face the accuser; in this case the accuser is a corporate fiction and cannot sustain its claims as an injured party as it cannot stand at trial therefore it is non existent and to further allow this litigation to continue without a plaintiff and hold the man, Jacob Leon Maclin against his will is fraud on the Court, maladministration and malfeasance.
- 3.) No attorney in this litigation has a license to practice law against Jacob Leon Maclin as no state or States render a “ license to practice law “ the practice of law is a right held by man not an occupation regulated by a de facto government nor private association. Wherefore, there is material misrepresentation on the record by the plaintiff's representatives.
- 4.) No evidence can be presented by a first hand witness in this litigation therefore all presumptions of guilt are rebutted.
- 5.) I, Jacob Leon Maclin attest to the fact under penalty of perjury that there is no plaintiff who can give testimony with first hand knowledge nor one who can identify I.

6.) If the plaintiff and or it's representatives refuse the tender of payment then the plaintiff waives its right to trial and discharges all accusatory instruments and is forever bound to this instrument in agreement to immediately release the man Jacob Leon Maclin.

Wherefore, pursuant to the five facts stated above as well as pursuant to every notice by affidavit presented to this Administrative Court I demand that all charges be dismissed immediately and I, Jacob Leon Maclin, a man, am released immediately.

Notice by affidavit of violation of Deprivation of rights under color of law

I, Jacob Leon Maclin, a man, give notice by Affidavit to all parties in this litigation of violation of Deprivation of rights under color of law: 1.) Section 242 of Title 18 makes it a crime for a person acting under color of any law to willfully deprive a person of a right or privilege protected by the Constitution or laws of the United States.

For the purpose of Section 242, acts under "color of law" include acts not only done by federal, state, or local officials within their lawful authority, but also acts done beyond the bounds of that official's lawful authority, if the acts are done while the official is purporting to or pretending to act in the performance of his/her official duties. Persons acting under color of law within the meaning

of this statute include police officers, prisons guards and other law enforcement officials, as well as judges, care providers in public health facilities, and others who are acting as public officials. It is not necessary that the crime be motivated by animus toward the race, color, religion, sex, handicap, familial status or national origin of the victim.

The offense is punishable by a range of imprisonment up to a life term, or the death penalty, depending upon the circumstances of the crime, and the resulting injury, if any.

TITLE 18, U.S.C., SECTION 242

- 1.) *Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, ... shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of***

this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death.

Wherefore, it is my wish that I am released immediately.

Wherefore, if any party to this case does not agree to the claims made in this affidavit, please rebut this affidavit, point by point, as a man or woman under oath or affirmation, under penalty of perjury and give constitutional and or lawful laws on why I as a man do not have the rights asserted in this and all affidavits in this litigation within Three (3) business days. If you fail to respond as a man or woman, under penalty of perjury, you agree by acquiescence to the claims made in this affidavit and you agree to my release immediately.

Verification

I hereby declare, verify and state, pursuant to the penalties of perjury under the laws of

the American nation that all the above and foregoing representations are true and correct to

the best of my knowledge, information and belief.

Executed in _____, _____, State , this _____ day of August in the Year of

Our Lord Two Thousand and Twenty-One



(Jacob Leon Maclin)
Without the United States